

REMARKS

Claims 13-20 are pending in this application. By this Amendment, claims 1 and 3-12 are canceled, and claims 13-20 are added. Support for the added claims may be found in original claims 1-12, as well as in Figs. 1 and 5, for example. No new matter is added. Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested.

The courtesies extended to Applicants' representative during the March 19, 2009 personal interview are appreciated. The reasons presented during the personal interview as warranting favorable action are incorporated into the remarks below, which constitute Applicants' record of the interview.

The Office Action objects to the title. The title is amended to obviate the Office Action's objection. Withdrawal of the objection to the title is respectfully requested.

The Office Action objects to the ordering of claims. The amendments to the claims obviate the objection. Withdrawal of the objection to the claims is respectfully requested.

The Office Action rejects claims 3, 4, 8, 11 and 12 under 35 U.S.C. §112, first paragraph, and rejects claims 1 and 3-12 under 35 U.S.C. §112, second paragraph, for varying reasons including written description support, enablement and indefiniteness. The cancellation of claims 1 and 3-12 and adding of new claims 13-20 obviate the rejections. Accordingly, withdrawal of the §112 rejections is respectfully requested.

The Office Action rejects claim 1 under 35 U.S.C. §103(a) over Dahan, Welin, Oobayashi, Murata and Iizuka ("DWOMI"); rejects claims 3 and 11 under §103(a) over DWOMI, and further in view of Ogawa; rejects claims 4 and 5 under §103(a) over DWOMI in view of Walker; rejects claim 6 under §103(a) over DWOMI in view of Ogawa and Walker; rejects claims 7 and 8 under §103(a) over Dahan, Welin, Oobayasi and Murata

("DWOM"); rejects claim 9 under §103(a) over DWOM in view of Tanaka; and rejects claim 12 under §103(a) over DWOM in view of Ogawa.

The above rejections are moot in view of the cancellation of claims 1 and 3-12. To the extent that the Examiner may regard these rejections as being applicable to any of added claims 13-20, Applicants provide the following remarks.

All of the obviousness rejections are based on primary reference Dahan. In particular, the Office Action asserts that Dahan discloses a first T.30 protocol unit that is connected to the facsimile modem and controls a T.30 facsimile protocol. Applicants respectfully submit, however, that Dahan does not disclose a first communication control section that controls facsimile communications using VoIP in which a facsimile signal is assumed as a voice signal ... wherein the facsimile apparatus is configured so that transmissions formatted by the first communication control section in accordance with a T.30 facsimile protocol are not further formatted in accordance with a T.38 facsimile protocol, as recited in independent claim 13, and as similarly recited in independent claims 17, 18 and 20.

Dahan only discloses a system for transmitting by the T.38 facsimile protocol. For example, Fig. 2, as well as paragraphs [0065], [0078], [0080], [0081], [0107] and [0147], are directed to transmitting data by the T.38 protocol. Thus, Dahan does not disclose, and would not have rendered obvious, using VoIP in which a facsimile signal is assumed as a voice signal ... so that transmissions ... are not further formatted in accordance with a T.38 facsimile protocol, as recited in claim 13, and similarly recited in claims 17, 18 and 20.

During the personal interview, Examiner Storey cited paragraph [0013] of Dahan as possibly having rendered obvious the recited subject matter. In particular, Examiner Storey asserted that paragraph [0013] discloses that a first VoIP/FoIP conversion stage includes converting analog voice/fax signals into digital signals and "a second stage includes adding RTP or T.38 ... headers to the digital signals." In response, Applicants' representative noted

that paragraph [0013] appears to only disclose that an RTP header may be added to the digital signals, and not the more detailed subject matter now recited in Applicants' independent claims. Examiner Storey asserted that paragraph [0013] may not provide the best support for an obviousness rejection of the added claims, and indicated that he will review Dahan in detail upon receiving Applicants' written submission.

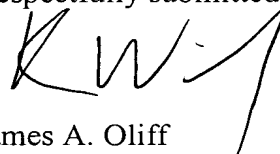
Welin, Oobayashi, Murata, Iizuka, Ogawa, Walker and Tanaka do not supply the subject matter missing in Dahan.

In view of the above, the combination of applied references would not have rendered obvious the subject matter of independent claims 13, 17, 18 and 20. Thus, the combination of applied references would not have rendered obvious the subject matter of dependent claims 14-16 and 19 for at least the respective dependence of these claims on allowable base claims, as well as for the separately patentable subject matter that each of these claims recites.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of claims 13-20 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:
Amendment Transmittal

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